

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RYAN KERWIN,

Plaintiff,

v.

LT. WILLIAM MCCONELL,

Defendant.

Civil Action No. 05-93 Erie

ORDER

AND NOW, this 30th day of November, 2005, and upon consideration of the Plaintiff, Ryan Kerwin's Appeal of Magistrate Judge Susan Paradise Baxter's Order dated July 29, 2005 [Doc. No. 21] dismissing his Motions for Summary Judgment as premature [Doc. No. 12 and Doc. No. 16], it is hereby ORDERED that the Appeal [Doc. No. 22] is DENIED.

s/ Sean J. McLaughlin
United States District Judge

cc: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge